

MINUTES
THE REGULAR TOWN COUNCIL MEETING

WEDNESDAY, AUGUST 18, 2021 AT 6:30 P.M.

Council Members Present: Mayor Duncan and Council Members: Gibson, Hill, Holland and O'Brien.

Absent: None

Others Present: Ron Drake, Colleen Thompson, John Groo, Ryan Anderson, Marie Hawkins, Laurie Simonson, Laura Cameron, Norman and Peggy Llewellyn

Clerk: Jocelyn Buck

M Duncan called the Meeting Order at 6:30 PM and delivered the Electronic Meeting Determination

Buck did roll call

Regular Town Meeting

1. Open Public Comment

CM Hill stated the Garden Shed is awesome and a wonderful idea. Thank you Tom Noce!

Laura Cameron asked if the Council had a chance to drive up Taylor and see how bad the road is. VmCo told her two months ago they were going to come back up and fix it and never have. The travel surface is covered with small rocks.

Thompson seconded CM Hill's comments and appreciation for the Garden Shed.

2. Approval of Minutes: Regular Town Council Meeting July 21, 2021.

CM Hill motioned to approve the Minutes from July 21 2021, CM O' Brien seconded motion passed unanimously

3. Executive Reports:

*Water Agent and Water Committee Report - John Groo reported on his meeting with Marc Stilson (Division of water Rights) to go over the details of Castle Valley's administration of water rights. The States records are very static and there are some difficulties in synchronizing information with the Town. Stilson advised the Town to start planning for well metering as that may become mandated by the State in the near future. The State Water Right management will be undergoing some major changes in the next few years. Groo will have a more detailed report of the meeting for the Council next month. CM O'Brien reported on the Water Advisory Committee's meeting with Marc Stilson. The State Water Engineer was not present. At the meeting they discussed in detail what would be required to close the aquifer to further appropriations. Stilson recommended having our latest Water Study(s) by Ken Kolm and Paul van der Heijde peer reviewed. This would help determine what other studies and/or information would be needed. The Isotope Study basically determines the age of the water and where it comes from. Prior to doing the Isotope study or any other studies the Town will need to work closely with the Division of Water Right to identify what information they require. A 2011 Town Water Plan is in place and it allows the Town to keep its water rights that are not in use. Groo added that once the required information is gathered if we can't get an outright closure of the aquifer we could certainly get an official agreement with the Division of Water Rights concerning future appropriations that would in turn safe guard our aquifer. The 2009 adjudication of the Town's certificated parental water rights reached its 50 year expiration date, to continue rights the State requires a 40 year Water plan. That is the Water Plan that the Town submitted and it was approved by the State. At that time there was also a Supreme Court decision that solidified a Town's right to hold on to their certificated water rights so they cannot be forfeited for non-use. The Water Advisory Committee is currently updating the Water Plan to a more comprehensive plan. CM Holland asked if we should go ahead with the Isotope Study using the ARPA and State matching funds. M Duncan added that without feedback from the Division of Water Rights we don't know what is going to be required for them to consider closing the aquifer. The monitoring well could be a good fit for the matching funds.

*Roads Committee- M Duncan-Minutes, Database Reports and a Manager's report provided. VmCo will be working on fixing the roads towards the end of the month. Once the Town's grading is finished

maybe the mowing can continue later in the fall. The Town's road base budget was 10k but the cottonwood tree removal \$2800 came out of that budget item. The budget can be amended later. The Road Manager and/or Equipment Operator II position(s) are still open

*Planning & Land Use Commission-Colleen Thompson- Minutes and reports provided. The PLUC will have a Special Meeting 8.20 to work on finalizing the draft language for Internal Accessory Dwelling Units; they will have a Public Hearing on that draft at their September 1st meeting. M Duncan encouraged the Council to participate in that Hearing with any questions/comments before the draft is forwarded to the Council Meeting 9.15. for approval so we can be in compliance with HB82 by 10.1.

* Community Renewable Energy Program CM Gibson reported Millcreek is going to be the C-REP Treasurer and will be sending out invoices soon. The Design Committee will be appointed at the Meeting next month and they will be responsible to design the program.

*Solid Waste District- Diana Ackerman- not present

*EMS District- Ed Weeks- not present.

*Fire District-Chief Drake reported they have been doing several Fire wise assessments lately.

*Housing Task Force- M Duncan- minutes provided.

*County Economic Advisory Board-M Duncan reported the Board will meet next month.

* Dark Sky Team – Buck reported that we have received some feedback from IDA on our Draft Lighting Ordinance, so we may do some tweaks to that Draft Ordinance otherwise it is ready for the Planning and Land Use Commission.

4. Correspondence: Taylor Lane email from Laura Cameron. M Duncan stated that we have determined it is VmCo 's responsibility to fix the road . She had driven the road and found it passable with her car to a certain point but agreed it was very bad and was a priority for Vmco to fix. Buck added that Gritts had spoken to Cory with VmCo and expressly requested they fix Taylor with their bulldozer parked on Keogh.

5. Administrative Matters & Procedures: Town letters-none. Naming Town Lot- Sue Deval suggested we should have a Town lot naming contest. Buck encouraged the Town to apply for the State ARPA matching grants. M Duncan added that we need to clarify our hiring and firing protocol/policies; this may require help from our attorney.

NEW BUSINESS

6. Discussion and Possible Action re: Building Permit Agent request for clarification of "dwelling". Thompson explained that there is a conflict in 85-3 on the definition of dwelling from "anything someone is staying in "at one place to another where is defined by its contents primarily having a kitchen. Where does a detached bedroom fit if it is not in the envelope of the main house may have a bathroom but no kitchen? Depending on the definition used is a detached bedroom a separate dwelling? M Duncan stated the Council needs to make a determination on the intent whether a resident can or cannot have a detached bedroom. Council had a discussion on whether a resident can rent a bedroom detached or a bedroom within their home. Not what Thompson was asking for clarification? Council consensus was that a detached bedroom with a bathroom was ok but a detached bedroom/structure with a kitchen was not allowed (85-3 Ch. 5.5). CM O'Brien suggested having the PLUC look at the definitions and Ch5.5 and make it very clear what is allowed additional to "a single family dwelling" per lot. Accessory structures can have many uses but cannot have an additional kitchen. Buck suggested the PLUC clarify that only one detached bedroom should be allowed, or there could be several all using a centralized kitchen in the main dwelling.

Council moved to Item 8

Council returned from closed session at 8:01 PM

7. Discussion and Possible Action re: Consideration of Legal aid agreement.

CM Hill thanked Laurie Simonson for offering help the Town. Simonson stated she loves Castle Valley and wanted to contribute.

CM Hill motioned to accept Simonson proposal for legal aid, CM O'Brien seconded motion passed unanimously.

UNFINISHED BUSINESS- None

8. Closed Meeting (If necessary). Utah State Code 52-4-205 To discuss character, professional competence of an individual.

CM Hill motioned to go into closed session at 7:50 PM, CM seconded motion passed unanimously.

9. Payment of the bills.

Buck asked CM Hill how much road base we should go ahead and order after the cottonwood removal cost, CM Hill clarified \$10,000-\$2800=\$7200 for road base.

CM O'Brien motioned to pay the bills, CM Holland seconded, motion passed unanimously.

ADJOURNMENT

CM Hill motioned to adjourn, CM O'Brien seconded, motion passed unanimously.

M Duncan adjourned the Meeting at 8:05PM

Approved:

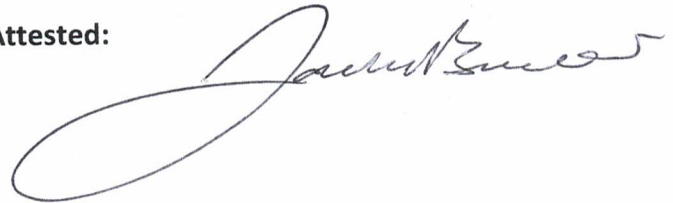


Jazmine Duncan, Mayor

Date:

09/16/2021

Attested:



Jocelyn Buck, Town Clerk

Date:

9.16.2021

OFFICIAL COPY

CV Recorder

Town of Castle Valley

HC 64 Box 2705

Castle Valley, UT 84532

